

Resolution No. \_\_\_\_\_

RESOLUTION WAIVING THE PROVISIONS OF RFP NO. CRA-001 REQUIRING COMPETITIVE BIDS FOR THE NW 7<sup>TH</sup> AVENUE CORRIDOR DEVELOPMENT PROJECT; AUTHORIZING THE EXECUTIVE DIRECTOR OF THE NW 7<sup>TH</sup> AVENUE COMMUNITY REDEVELOPMENT AGENCY (CRA) OR HIS DESIGNEE TO NEGOTIATE A DEVELOPMENT AGREEMENT WITH POTAMKIN DEVELOPMENT I-95 LLC FOR THE DEVELOPMENT PROJECT; REQUIRING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO OBTAIN THE CRA BOARD'S APPROVAL PRIOR TO THE EXECUTION OF ANY NEGOTIATED DEVELOPMENT AGREEMENT

WHEREAS, on March 1, 2005 the Board of Commissioners of the NW 7<sup>th</sup> Avenue Community Redevelopment Agency (the CRA Board) adopted Resolution CRA 1-05, which authorized the issuance of a request for proposals (RFP) to develop a retail auto mall within the boundaries of the NW 7<sup>th</sup> Avenue Corridor Community Redevelopment Area as a Primary Redevelopment Project in accordance with the NW 7<sup>th</sup> Avenue Corridor Redevelopment Plan and to establish an evaluation/selection committee for RFP No. CRA-001; and

WHEREAS, on March 29, 2005 the Miami-Dade County Office of Community and Economic Development (OCED) issued the RFP on behalf of the NW 7<sup>th</sup> Avenue Corridor Community Redevelopment Agency; and

WHEREAS, OCED received responses from one (1) vendor, Potamkin Development I-95 LLC; and

WHEREAS, on July 8, 2005 the evaluation/selection committee after some deliberation, requested an opinion of the County Attorney's Office (CAO) on the responsiveness of the sole proposal received to Section 3.2 (6)(b) – Development Plan/Vision and , and Section 3.2 (7) – Financial Capability of the RFPI; and

WHEREAS, the CAO, upon review of the proposal, opined that the proposal was non-responsive to the RFP's minimum qualification requirement that the proposer, at the time of submission, have at least three (3) distribution rights for the territory within the Primary Redevelopment Project Area; and

WHEREAS, during the meeting of the CRA Board on August 23, 2005 the Board approved a report on the selection process relative to the RFP that recommended the rejection of the single proposal that was received in response to the issuance of RFP CRA001; and

WHEREAS, the CRA Board, desires to waive the provisions of the RFP requiring competitive bids; and

WHEREAS, the CRA Board, desires to authorize negotiations with Potamkin Development I-95 LLC for a development agreement relative to the Primary Redevelopment Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF NW 7<sup>TH</sup> AVENUE CORRIDOR COMMUNITY REDEVELOPMENT AGENCY (CRA), that this Board:

**Section 1.** Finds it is in the best interest of NW 7<sup>th</sup> Avenue Corridor CRA to waive the formal bid procedures contained in RFP No. CRA001.

**Section 2.** Authorizes the Executive Director of the CRA to negotiate and prepare a development agreement on behalf of the CRA Board, subject to review and approval by the County Attorney's Office.

**Section 3.** Requires the Executive Director to present to the negotiated development agreement with Potamkin Development I-95 LLC to the CRA Board for approval prior to execution.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman  
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro  
Jose "Pepe" Diaz  
Sally A. Heyman  
Dorrin D. Rolle  
Katy Sorenson  
Sen. Javier D. Souto

Dr. Barbara Carey-Shuler  
Carlos A. Gimenez  
Barbara J. Jordan  
Natacha Seijas  
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of September, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

7<sup>TH</sup> AVENUE CORRIDOR  
COMMUNITY REDEVELOPMENT AGENCY  
BOARD OF COMMISSIONERS

Approved by County Attorney as  
to form and legal sufficiency. TS

BY: \_\_\_\_\_  
Deputy Clerk

Terrence A. Smith